

**NAME**

**RULE 1**

The name of the incorporated association (in these rules called "the association") is Queensland 16ft Skiff Sailing Association Inc.

**OBJECTS**

**RULE 2**

The objects for which the association is established are:-

2.1 To control, encourage and promote the advancement of the 16ft skiff sailing class, within the State of Queensland.

2.2 To pay out of the funds of the Association such moneys, subsidies or grants as may be determined from time to time, towards carrying out the objects of the Association, including payment of subsidies or grants to any person elected or selected to represent the Association in accordance with this Constitution and rules made thereunder.

2.3 To co-operate or affiliate with any other body or organisation having similar aims and objects for the encouragement and promotion of sailing which meet with the approval of the Association.

2.4 To purchase, transfer, assign, mortgage, charge, lease, hire, or exchange any property (real or personal) in any manner authorised by law.

2.5 To establish uniform sailing regulations governing all 16ft skiffs and crews competing in events under the control of the Association.

2.6 To do all such lawful acts and things as are incidental or conducive to the attainment of the objects of the Association.

**POWERS**

**RULE 3.**

The powers of the association are:-

(a) To take over the funds and other assets and liabilities of the present unincorporated association known as the "QUEENSLAND 16ft SKIFF SAILING ASSOCIATION".

(b) to subscribe to, become a member of and cooperate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the association, but the association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the association under or by virtue of rule 28(10):

(c) in furtherance of the objects of the association to buy, sell and deal in all

kinds of articles, commodities and provisions, both liquid and solid, for the members of the association or persons frequenting the Association's premises;

(d) to purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the association, but in case the association shall take or hold any property which may be subject to any trusts the association shall only deal with the same in such manner as is allowed by law having regard to such trusts;

(e) to enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the association;

(f) to obtain from any such Government or Authority any rights, privileges and concessions which the association may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;

(h) to remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing of any unsecured notes, debentures or other securities of association or in the furtherance of its objects;

(i) to construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Associations interests, and to contribute to ,subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;

(j) to invest and deal with the money of the association not immediately required in such manner as may from time to time be thought fit;

(k) to take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;

(l) in furtherance of the objects of the association to lend and advance money or give credit to any person or body corporate;

(m) to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;

(n) to borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with

others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities;

(o) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

(p) in furtherance of the objects of the association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or part of the property and rights of the association;

(q) to take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the association, or any money due to the association from purchasers and others;

(r) to take any gift of property whether subject to any special trust or not, for any one or more of the objects of the association but subject always to the exception in paragraph (d);

(s) to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the association, in the shape of donations, annual subscriptions or otherwise;

(t) to print and publish any newspapers, periodicals, books or leaflets that the association may think desirable for the promotion of its objects;

(u) in furtherance of the objects of the association to amalgamate with any 1 or more incorporated associations having objects altogether or in part similar to those of the association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the association under or by virtue of rule 28(10);

(v) in furtherance of the objects of the association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the association is authorised to amalgamate;

(w) in furtherance of the objects of the association to transfer all or any part of the property, assets, liabilities and engagements of the association to any one or more of the incorporated associations with which the association is authorised to amalgamate;

(x) to make donations for patriotic, charitable or community purposes;

(y) to transact any lawful business in aid of the Commonwealth of Australia in

the prosecution of any war in which the Commonwealth of Australia is engaged;

(z) to do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the association.

### **CLASSES OF MEMBERSHIP**

#### **RULE 4.**

(1) The membership of the association shall consist of any of the following classes of members:-

(a) ordinary membership shall be available to all persons who are members of a sailing club affiliated to the Queensland 16 ft Skiff Sailing Association incorporated who pay full membership fees as prescribed in the Association's By-laws. Such members shall have full voting rights and shall be eligible to hold office within the Association.

(b) social membership shall be available to all persons who wish to support the objects of the Association and pays the Social membership fees as prescribed in the Association's By-laws. Such members shall have no voting rights and be ineligible to hold office within the Association.

(c) life membership shall be granted to any person meeting the requirements as prescribed in the Association's By-laws.

(2) The number of ordinary members shall be unlimited.

#### **RULE 5.**

(1) Every person who at the date of incorporation of the association was a member of the unincorporated association and who prior to the day of incorporation, agrees in writing to become a member of the association shall be admitted by the management committee to the same class of membership of the association as that member held in the unincorporated association.

(1A) Every member of the association who previously to agreeing to become a member of the association has paid the member's subscription due on or before the day of incorporation, as a member of the unincorporated association, shall not be liable to pay any further sum by the way of annual subscription to the association for the period prior to the day of incorporation.

(2) Every applicant for any class of membership of the association {other than the members of the unincorporated association referred to in sub-rule (1) } shall be proposed by 1 member of the association and seconded by another member.

(3) The application for membership shall be made in writing, signed by the applicant and the applicant's proposer and seconder shall be in such form as the management committee from time to time prescribes.

### **MEMBERSHIP FEES**

#### **RULE 6.**

(1) The membership fees for each class of each class of membership shall be such sum as the members shall from time to time at any general meeting so

determine.

(2) The membership fees for each class of membership shall be payable at such time and in such manner as the management committee shall from time to time determine.

### **ADMISSION AND REJECTION OF MEMBERS**

#### **RULE 7.**

(1) At the next meeting of the management committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the management committee, who shall thereupon determine upon the admission or rejection of the applicant.

(2) Any applicant who receives a majority of the votes of the members of the management committee present at the meeting at which such application is being considered shall be accepted as a member to class of membership applied for.

(3) Upon the acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

### **TERMINATION OF MEMBERSHIP**

#### **RULE 8.**

(1) A member may resign from the association at any time by giving notice in writing to the secretary.

(1A) Such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date.

(2) If a member -

(a) is convicted of an indictable offence; or

(b) fails to comply with any of the provisions of these rules; or

(c) has membership fees in arrears for a period of 2 months or more; or

(d) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the association;

the management committee shall consider whether the member's membership shall be terminated.

(3) The member concerned shall be given a full and fair opportunity of presenting the member's case and if the management committee resolves to terminate the membership it shall instruct the secretary to advise the member in writing accordingly.

### **APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

#### **RULE 9.**

(1) A person whose application for membership has been rejected or whose membership has been terminated may within 1 month of receiving written

notification thereof, lodge with the secretary written notice of the person's intention to appeal against the decision of the management committee.

(2) Upon receipt of a notification of intention to appeal against rejection or termination of membership the secretary shall convene, within 3 months of the date of receipt by the secretary of such notice, a general meeting to determine the appeal.

(2A) At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the management committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.

(2B) The appeal shall be determined by the vote of the members present at such meeting.

(3) Where a person whose application is rejected, does not appeal against the decision of the management committee within the time prescribed by these rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any fee paid.

## **REGISTER OF MEMBERS**

### **RULE 10**

(1) The management committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the association and the dates of their admission.

(2) Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the management committee or the members at any general meeting may require from time to time.

(3) The register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

## **MEMBERSHIP OF MANAGEMENT COMMITTEE**

### **RULE 11.**

(1) The management committee of the association shall consist of a president, vice-president, secretary, treasurer, all of whom shall be members of the association, and such number of other members as the members of the association at any general meeting may from time to time elect or appoint.

(2) At the annual general meeting of the association, all the members of the management committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.

(3) The election of officers and other members of the management committee shall take place in the following manner-

- (a) any 2 members of the association shall be at liberty to nominate any other member to serve as an officer or other member of the management committee;
- (b) the nomination, which shall be in writing and signed by the member and the member's proposer and seconder, shall be lodged with the secretary at least 14 days before the annual general meeting at which the election is to take place;
- (c) a list of the candidates' names in alphabetical order, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting;
- (d) balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
- (e) should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

## **RESIGNATION AND REMOVAL OF MANAGEMENT COMMITTEE MEMBERS**

### **RULE 12.**

(1) Any member of the management committee may resign from membership of the management committee at any time by giving notice in writing to the secretary but such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on the later date or such member may be removed from office at a general meeting of the association where that member shall be given the opportunity to fully present the member's case.

(2) The question of removal shall be determined by the vote of the members present at such a general meeting.

## **VACANCIES ON MANAGEMENT COMMITTEE**

### **RULE 13.**

(1) The management committee shall have a power at any time to appoint any member of the association to fill any casual vacancy on the management committee until the next annual general meeting.

(2) The continuing members of the management committee may act notwithstanding any casual vacancy in the management committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the management committee, the continuing member or members may act for the purpose of increasing the number of members of the management committee to that number or of summoning a general meeting of the association, but for no other purpose.

## **FUNCTIONS OF THE MANAGEMENT COMMITTEE**

### **RULE 14.**

(1) Except as otherwise provided by these rules and subject to resolutions of the members of the association carried at any general meeting the

management committee-

(a) shall have the general control and management of the administration of the affairs, property and funds of the association; and

(b) shall have authority to interpret the meaning of these rules and any matter relating to the association on which these rules are silent.

(2) The management committee may exercise all the powers of the association

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(a) to borrow or raise or secure the payment of money in such manner as the members of the association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way and in particular by the issue of debentures, perpetual or otherwise charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities, and

(b) to borrow money from members at a rate of interest not exceeding interest at rate being charged by bankers in Brisbane for the overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association, and to provide and pay off any such securities, and

(c) to invest in such manner as the members of the association may from time to time determine.

## **MEETINGS OF MANAGEMENT COMMITTEE**

### **RULE 15.**

(1) The management committee shall meet at least once every calendar month to exercise its functions.

(2) A special meeting of the management committee shall be convened by the secretary on the requisition in writing signed by not less than one third of the members of the management committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.

(3) At every meeting of the management committee a simple majority of a number of members elected and appointed to the management committee as at the close of the last general meeting of the members, shall constitute a quorum.

(4) Subject as previously provided in this rule, the management committee may meet together and regulate its proceedings as it thinks fit.

(4A) However, questions arising at any meeting of the management committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.

(5) A member of the management committee shall not vote in respect of any contract or proposed contract with the association in which the member is interested, or any matter arising thereout, and if the member does so vote the



member's vote shall not be counted.

(6) Not less than 14 days notice shall be given by the secretary to members of the management committee of any special meeting of the management committee.

(6A) Such notice shall clearly state the nature of the business to be discussed thereat.

(7) The president shall preside as chairperson at every meeting of the management committee, or if there is no president, or if at any meeting the president is not present within 10 minutes after the time appointed for holding the meeting, the vice-president shall be chairperson or if the vice-president is not present at the meeting then the members may choose 1 of their number to be chairperson of the meeting.

(8) If within half an hour from the time appointed for the commencement of a management committee meeting a quorum is not present, the meeting, if convened upon the requisition of the members of the management committee, shall lapse.

(9) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the management committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

#### RULE 16.

(1) The management committee may delegate any of its powers to a subcommittee consisting of such members of the association as the management committee thinks fit.

(1A) Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the management committee.

(2) A subcommittee may elect a chairperson of its meetings.

(2A) If no such chairperson is elected, or if any meeting the chairperson is not present within 10 minutes after the time appointed for holding the meeting, the members present may choose 1 of their number to be chairperson of the meeting.

(3) A subcommittee may meet and adjourn as it thinks proper.

(4) Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

**RULE 17.**

All acts done by any meeting of the management committee or of a subcommittee or by any person acting as a member of the management committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the management committee or person acting as aforesaid, or that the members of the management committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the management committee.

**RULE 18.**

(1) A resolution in writing signed by all the members of the management committee for the time being entitled to receive notice of a meeting of the management committee shall be as valid and effectual as if it had been passed at a meeting of the management committee duly convened and held.

(2) Any such resolution may consist of several documents in like form, each signed by 1 or more members of the management committee.

**ANNUAL GENERAL OR GENERAL MEETINGS**

**RULE 19.**

The first general meeting shall be held at such time, not being less than 1 month nor more than 3 months after the incorporation of the association, and at such place as the management committee may determine.

**RULE 20.**

(1) The annual general meeting shall be held within 3 months of the close of the financial year.

(2) The business to be transacted at every annual general meeting shall be -

(a) the receiving of the management committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the association for the preceding financial year; and

(b) the receiving of the auditor's report upon the books and accounts for the preceding financial year; and

(c) the election of members of the management committee; and

(d) the appointment of an auditor.

**RULE 21.**

(1) The secretary shall convene a special general meeting -

(a) when directed to do so by the management committee; or

(b) on the requisition in writing signed by not less than one-third of the members presently on the management committee or not less than the number of ordinary members of the association which equals double the number of members presently on the management committee plus one; or

(c) on being given a notice in writing of an intention to appeal against the decision of the management committee to reject an application for membership or to terminate the membership of any person.

(2) A requisition mentioned in subrule (1)(b) shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat.

RULE 22.

~~(1) At any general meeting the number of members required to constitute a quorum shall be double the number of members presently on the management committee plus 1.~~

(2) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business.

(2A) For the purpose of this rule -  
"member" includes a person attending as a proxy or as representing a corporation which is a member.

(3) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the management committee or the association, shall lapse.

(3A) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the management committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

(4) The chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no other business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(5) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.

(6) Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

RULE 23.

(1) The secretary shall convene all general meetings of the association by giving not less than 14 days notice of any such meeting to the members of the association.

(2) The manner by which such notice shall be given shall be determined by the

management committee.

(3) However, notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of the member's membership by the management committee, shall be given in writing.

(4) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

RULE 24.

(1) Unless otherwise provided by these rules, at every general meeting -

(a) the president shall preside as chairperson, or if there is no president, or if the president is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the vice-president shall be the chairperson or if the vice-president is not present or is unwilling to act then the members present shall elect 1 of their number to be chairperson of the meeting; and

(b) the chairperson shall maintain order and conduct the meeting in a proper and orderly manner; and

(c) every question, matter or resolution shall be decided by a majority of votes of the members present; and

(d) every member present shall be entitled to one vote at any general meeting if the member's annual subscription is more than 1 month in arrears at the date of the meeting; and

(f) voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot; and

(g) The chairperson shall appoint 2 members to conduct the secret ballot in such manner as the chairperson shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot demanded; and

(h) a member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have 1 vote and in a secret ballot every member present in person or by proxy or by attorney or other duly authorised representative shall have 1 vote; and

(i) the instrument appointing a proxy shall be in writing, in the common or usual form, under the hand of the appointor or the appointor's attorney duly authorised in writing or, if the appointor is a corporation, either under seal or under the hand of an officer or attorney duly authorised; and

(j) a proxy may but need not be a member of the association; and

(k) the instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot; and

(l) where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit-

ASSOCIATION:

I, of

being a member of the above-named association, hereby appoint

of, or  
failing the member, of,  
as my proxy to vote for me on my behalf at the (annual) general  
meeting of the association, to be held on the day  
of, 19, and at any adjournment thereof.

Signed this day of, 19.

Signature.

This form is to be used \* in favour of / \*against the resolution.

\* Strike out whichever is not desired. (Unless otherwise instructed, the  
proxy may vote as the proxy think fit.)

; and

(m) the instrument appointing a proxy shall be deposited with the secretary prior  
to the commencement of any meeting or adjourned meeting at which the person  
named in the instrument proposes to vote; and

(n) the secretary shall cause full and accurate minutes of all questions, matters,  
resolutions and other proceedings of every management committee meeting  
and general meeting to be entered in a book to be open for inspection at all  
reasonable times by any financial member who previously applies to the  
secretary for that inspection.

(2) For the purposes of ensuring the accuracy of the recording of such minutes,  
the minutes of every management committee meeting shall be signed by the  
chairperson of the next succeeding management committee meeting verifying  
their accuracy.

(3) Similarly, the minutes of every general meeting shall be signed by the  
chairperson of that meeting or the chairperson of the next succeeding general  
meeting.

(4) However, the minutes of any annual general meeting shall be signed by the  
chairperson of that meeting or the chairperson of the next succeeding general  
meeting or annual general meeting.

## **BYLAWS**

### **RULE 25.**

The management committee may from time to time make, amend or repeal by-  
laws, not inconsistent with these rules, for the internal management of the  
association and any by-law may be set aside by a general meeting of members.

## **ALTERATION OF RULES**

### **RULE 26.**

(1) Subject to the provisions of the Associations Incorporation Act 1981, these  
rules may be amended, rescinded, or added to from time to time by a special  
resolution carried at any general meeting.

(2) However, no such amendment, rescission or addition shall be valid unless  
the same shall have been previously submitted to and approved by the Chief  
Executive of the Department administering the Act.

**COMMON SEAL**

**RULE 27.**

(1) The management committee shall provide for a common seal and for its safe custody.

(2) The common seal shall only be used by the authority of the management committee and every instrument to which the seal is affixed shall be signed by a member of the management committee and shall be countersigned by the secretary or by a second member of the management committee for the purpose.

**FUNDS AND ACCOUNTS**

**RULE 28.**

(1) The funds of the association must be kept in the name of the association in a financial institution decided by the management committee.

(2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the association and the particulars usually shown in books of a like nature.

(3) All moneys shall be deposited as soon as practicable after receipt thereof.

~~(4) All amounts of \$100 or over shall be paid by cheque signed by any 2 of the president, secretary, treasurer, or other member authorised from time to time by the management committee.~~

(5) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.

(6) The management committee shall determine the amount of petty cash which shall be kept on the imprest system.

(7) All expenditure shall be approved or ratified at a management committee meeting.

(8) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing the particulars of -

(a) the income and expenditure for the financial year just ended and

(b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the association at the close of that year.

(9) All such statements shall be examined by the auditor who shall present a report upon such audit to the secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.

(10) The income and property of the association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or

transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the association provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by the member to the association or otherwise owing by the association to the member or of any remuneration to any officers or servants of the association or to any member of the association or other person in return for any services actually rendered to the association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the association or reasonable and proper rent for premises demised or let to the association.

### **DOCUMENTS**

#### **RULE 29.**

The management committee shall provide for the safe custody of books, documents, instruments of title and securities of the association.

### **FINANCIAL YEAR**

#### **RULE 30.**

The financial year of the association shall close on (30/6/ ) in each year.

### **DISTRIBUTION OF SURPLUS ASSETS**

#### **RULE 31.**

If the association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the association, but shall be given or transferred to some other institution or institutions having objects similar to the association, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the association under or by virtue of rule 28(10), such institution or institutions to be determined by the members of the association.

**BY-LAWS**  
**of**  
**QUEENSLAND 16FT SKIFF SAILING ASSOCIATION INC.**

**1. MEMBERSHIP**

**(a) Ordinary Membership**

Ordinary members Shall

- (1) Be financial members of an affiliated club of the Queensland Yachting Association.
- (2) Be eligible to vote at general, special and annual general meetings
- (3) Be eligible to hold office in the association
- (4) Be eligible to receive all official association publications
- (5) Be eligible to participate, and compete in all races as conducted by the association
- (6) Pay all fees, dues applicable to full membership.
- (7) Nominate their primary club.

**(b) Social Membership**

Social Members Shall

- (1) Be **ineligible** to vote at general, special and annual general meetings
- (2) Be **ineligible** to hold office in the association
- (3) Be eligible to receive all official association publications
- (4) Be ineligible to compete in all races as conducted by the association

**(c) Life Membership**

(1) The Association may confer life membership upon any person nominated by a member. Such nomination shall be in writing and include a clear and concise statement of the nominee's achievements which entitle the person to such honour.

These achievement must reflect a significant contribution to the Association over an extended period (as a guide, not less than ten years).

(2) Nominations shall be submitted to the secretary and placed before the management committee who shall consider the nomination and submit a recommendation to the next Annual meeting.

The views of current life members will be sought and taken into account before any recommendation is made.

(3) Acceptance of the nomination shall require a majority of votes by Ordinary members at the Annual General Meeting.

(4) Life members will have full voting rights.



## 2. APPLICATION FOR MEMBERSHIP

Application for membership shall be made in writing or, verbally to a management committee member and shall be accompanied by the appropriate fee.

Each member shall on acceptance be issued with a copy of the association's Rules and By-Laws.

## 3. MEMBERSHIP FEES See rules 6.1 and 6.2

(1) All members will pay a once only joining fee of \$10.00.

~~(2) Annual subscriptions shall be:~~

~~(a) For Ordinary Members: \$10.00 per annum~~

~~(b) For Social Members: \$6.00 per annum~~

(c) For Life Members: Life members will not be required to pay annual subscriptions

(3) New members joining after the 1st March shall pay a pro-rata amount of the fee applicable to their class of membership.

(4) All annual subscriptions shall be paid to the treasurer within two months of the close of the Association's financial year.

If subscriptions are not paid within this time, membership may lapse and a new joining fee may be required at the discretion of the Management Committee.

## 4. MANAGEMENT COMMITTEE

The Management Committee shall consist of;

- (1) President
- (2) Secretary
- (3) Treasurer
- (4) Vice President

## 5. DUTIES OF COMMITTEE MEMBERS

In addition to the duties set out in the Rules, the members of the Management Committee shall have the following specific duties:

(a) Chairman

(1) The Chairman shall be the recognised head of the Association and shall sign all documents requiring their signature as the official head.

(2) The Chairman shall preside at all general, special and annual general meetings and at all Management Committee meetings and shall preserve order at the same.

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(3) The Chairman shall sign all Minutes of meetings provided the same have been duly confirmed.

(4) The Chairman on behalf of the Management Committee shall prepare and present to the Annual General Meeting a full written report of the Association's activities for the preceding 12 months.

(b) Secretary

(1) The Secretary shall arrange for notices of meetings to be produced as set forth in the Rules.

(2) The Secretary shall keep an official copy of the Association's Constitution properly amended.

(3) On being requested by any financial member, the Secretary shall produce all such books and documents of the Association.

(4) The Secretary shall prepare all necessary forms for submission to the Justice Department, i.e. copy of audited statement, return of members of the Management Committee.

(5) The Secretary shall maintain the Membership Register set out in Rule 10.

(6) The Secretary shall maintain a current copy of the Australian 16 ft Skiff Association Constitution.

(c) Treasurer

(1) The Treasurer shall keep all books of accounts as determined by the committee.

(2) The Treasurer shall present a financial statement at each meeting as requested.

(3) The Treasurer shall present to the Annual General Meeting a duly audited Statement of Receipts and Expenditure and a Balance Sheet of the Association's affairs.

(4) The Treasurer shall maintain the Association's cheque account, Vic Lucas account and other such accounts as necessary.

(5) On being requested by any financial member, the Treasurer shall produce all such books and documents of the Association.

(6) The Treasurer shall ensure that all expenses payable by the Association are kept paid up at all times.

(d) Vice President

(1) The Vice President shall keep full and accurate Minutes of all meetings of the Association and the Committee as set out in clause 24.10 of the Rules.

~~(2) The Vice President shall ensure the Minutes are distributed to all Members.~~

(3) The Vice President shall act as the Chairman of the Management Committee if the President is unavailable.

## **6 CONDUCT OF RACING ORGANISATION**

(1) Racing organisation shall be in accordance with the Australian 16ft Skiff Association.

(2) Racing Rules shall be in accordance with the Australian Yachting Federation issue of the Yacht Racing Rules of the International Yacht Racing Union, and the prescriptions and safety regulations of the Australian Yachting Federation.

(3) Officials necessary for the effective running of association races shall be appointed at the annual general meeting and report to the organising authority, as per the Australian Yachting Federation racing rules.

They should include : Starter, Hull Measurer, Sail Measurer, Handicapper, Qld. team Manager and any other position deemed necessary.

## **7 MEASUREMENT AND CONSTRUCTION**

(1) Sixteen foot skiffs shall conform to class restrictions and requirements as specified in the Australian 16ft Skiff Association class requirements.

## **8 ASSOCIATION RACES**

(1) All crews and skippers must be ordinary members to compete in association events.

### **(2) Queensland 16ft Skiff Championship**

(1) Queensland 16ft Skiff Championship shall be held on a rotating basis between nominated clubs.

(2) The date for the championship shall be decided by the Management Committee in agreeance with the host club before the start of the sailing season of that year.

(3) The skipper of the winning skiff shall be presented with:

(a) A Queensland Championship pennant provided by the Association.

(b) The perpetual Vic Lucas Memorial Cup.

### **(3) South Queensland Championship**

(1) The South Queensland Championship shall be held on a rotating basis between nominated clubs.

### **(4) Past Officials Race**

(1) The Past Officials Race shall be held on a rotating basis between nominated clubs.

**(5) Opening Day Race.**

(1) The Opening Day Race shall be held on rotating basis between nominated clubs.

~~**(6) Selection races for the Australian 16ft Skiff Championships**~~

~~(1) A minimum of 3 races should be used and can be held in conjunction with other events.~~

~~(2) The Management Committee shall select the skiffs to represent the State and may select a replacement skiff should a skiff not be able to compete at the nationals.~~

**9 AUSTRALIAN 16FT SKIFF ASSOCIATION**

(1) Changes to the Australian 16ft Skiff Association Constitution shall require agreement by a 2/3 majority vote of Ordinary Members.

(2) By-Law 9.1 shall only be amended by a 2/3 majority of Ordinary Members.

(3) Proposed changes to the Australian 16ft Skiff Constitution must be distributed in writing to Ordinary Members at least two weeks prior to the meeting where the vote will be taken.

**10 VIC LUCAS MEMORIAL FUND**

(1) The Queensland 16ft Skiff Association is custodian of the Vic Lucas Memorial Trust Fund. Interest from the investment of the trust fund may be only be used for the maintenance of the Vic Lucas Monument (located in the park opposite the rigging area of the Brisbane Skiff Squadron) and to provide a trophy to the winner of the Queensland Championship.

**11 GUIDELINES FOR TRAVEL MONEY WHERE OFFERED TO SKIFF OWNERS**

(1) The skiff must compete in all of the races offered in the carnival program except in the event of a genuine loss or delay in transit.

(2) It is expected that this money will be refunded in full within one month of the completion of the carnival, back to the Association, if these conditions are not met.

(3) The management Committee shall determine when and if to pay the monies.